

**Calendar No. 312**

103D CONGRESS  
1ST SESSION

**S. 1654**

[Report No. 103-191]

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**A BILL**

To make certain technical corrections.

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NOVEMBER 19 (legislative day, NOVEMBER 2), 1993

Reported with an amendment

## Calendar No. 312

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1654

[Report No. 103-191]

To make certain technical corrections.

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### IN THE SENATE OF THE UNITED STATES

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

NOVEMBER 19 (legislative day, NOVEMBER 2), 1993

Reported by Mr. INOUE, with an amendment

[Insert the part printed in italic]

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## A BILL

To make certain technical corrections.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NORTHERN CHEYENNE INDIAN RESERVED**

4 **WATER RIGHTS SETTLEMENT ACT OF 1992.**

5 (a) ENVIRONMENTAL COSTS.—Section 7(e) of the  
6 Northern Cheyenne Indian Reserved Water Rights Settle-  
7 ment Act of 1992 (Public Law 102-374, 106 Stat. 1186

1 et seq.) is amended by adding at the end thereof the fol-  
2 lowing new sentences: “All costs of environmental compli-  
3 ance and mitigation associated with the Compact, includ-  
4 ing mitigation measures adopted by the Secretary, are the  
5 sole responsibility of the United States. All moneys appro-  
6 priated pursuant to the authorization under this sub-  
7 section are in addition to amounts appropriated pursuant  
8 to the authorization under section 7(b)(1) of this Act, and  
9 shall be immediately available.”.

10 (b) AUTHORIZATIONS.—The first sentence of section  
11 4(c) of the Northern Cheyenne Indian Reserved Water  
12 Rights Settlement Act of 1992 (Public Law 102–374; 106  
13 Stat. 1186 et seq.) is amended to read as follows: “Except  
14 for authorizations contained in subsections 7(b)(1)(A),  
15 7(b)(1)(B) and 7(e), the authorization of appropriations  
16 contained in this Act shall not be effective until such time  
17 as the Montana water court enters and approves a decree  
18 as provided in subsection (d) of this section.”.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 this section shall be considered to have taken effect on  
21 September 30, 1992.

22 **SEC. 2. SAN CARLOS APACHE TRIBE WATER RIGHTS SET-**  
23 **TLEMENT ACT OF 1992.**

24 (a) AMENDMENT.—Section 3704(d) of the San Car-  
25 los Apache Tribe Water Rights Settlement Act of 1992

1 (Public Law 102–575) is amended by deleting “reimburs-  
2 able” and inserting in lieu thereof “nonreimbursable”.

3 (b) EFFECTIVE DATE.—The amendment made by  
4 subsection (a) shall be considered to have taken effect on  
5 October 30, 1992.

6 **SEC. 3. TRIBALLY CONTROLLED COMMUNITY COLLEGES.**

7 The part of the text contained under the heading  
8 “BUREAU OF INDIAN AFFAIRS”, and the subheading  
9 “OPERATION OF INDIAN PROGRAMS”, in title I of the De-  
10 partment of the Interior and Related Agencies Appropria-  
11 tions Act, 1994, which reads “*Provided further*, That any  
12 funds provided under this head or previously provided for  
13 tribally controlled community colleges which are distrib-  
14 uted prior to July 1, 1994 which have been or are being  
15 invested or administered in compliance with section 331  
16 of the Higher Education Act shall be deemed to be in com-  
17 pliance for current and future purposes with title III of  
18 the Tribally Controlled Community Colleges Assistance  
19 Act.” is amended by deleting “section 331 of the Higher  
20 Education Act” and inserting in lieu thereof “section  
21 332(c)(2)(A) of the Higher Education Act of 1965”.

1 **SEC. 4. WHITE EARTH RESERVATION LAND SETTLEMENT**  
2 **ACT OF 1985.**

3 Section 7 of the White Earth Reservation Land Set-  
4 tlement Act of 1985 (25 U.S.C. 331, note) is amended  
5 by adding at the end thereof the following:

6 “(f)(1) The Secretary is authorized to make a one-  
7 time deletion from the second list published under sub-  
8 section (c) or any subsequent list published under sub-  
9 section (e) of any allotments or interests which the Sec-  
10 retary has determined do not fall within the provisions of  
11 subsection (a) or (b) of section 4, or subsection (c) of sec-  
12 tion 5, or which the Secretary has determined were erro-  
13 neously included in such list by reason of misdescription  
14 or typographical error.

15 “(2) The Secretary shall publish in the Federal Reg-  
16 ister notice of deletions made from the second list pub-  
17 lished under subsection (c) or any subsequent list pub-  
18 lished under subsection (e).

19 “(3) The determination made by the Secretary to de-  
20 lete an allotment or interest under paragraph (1) may be  
21 judicially reviewed in accordance with chapter 7 of title  
22 5, United States Code, within 90 days after the date on  
23 which notice of such determination is published in the  
24 Federal Register under paragraph (2). Any legal action  
25 challenging such a determination that is not filed within  
26 such 90-day period shall be forever barred. Exclusive juris-

1 diction over any legal action challenging such a determina-  
 2 tion is vested in the United States District Court for the  
 3 District of Minnesota.”.

4 **SEC. 5. AMENDMENTS.**

5 (a) *TECHNICAL AMENDMENT.*—Section 3508(d)(1)  
 6 and section 3509(c)(1) of the Three Affiliated Tribes and  
 7 Standing Rock Sioux Tribe Equitable Compensation Act  
 8 (title XXXV; Public Law 102–575; 106 Stat. 4731) are each  
 9 amended by deleting “1 year” and inserting in lieu thereof  
 10 in each such section “twenty-six months”.

11 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
 12 section (a) shall be considered as having taken effect October  
 13 30, 1992.

14 **SEC. 6. AMENDMENTS.**

15 Section 1(c) of the Act entitled “An Act to establish  
 16 a reservation for the Confederated Tribes of the Grand  
 17 Ronde Community of Oregon, and for other purposes”, ap-  
 18 proved September 9, 1988 (102 Stat. 1594), is amended as  
 19 follows:

20 (1) delete “9,811.32” and insert in lieu thereof  
 21 “9,879.65”; and

22 (2) delete everything after “5 8 17 All  
 23 640.00” and insert in lieu thereof the following:

24 “6 8 1 SW1/4SW1/4,W1/2SE1/4SW1/4 53.78

25 “6 8 1 S1/2E1/2SE1/4SW1/4 9.00

1	“6 7 8	Tax lot 800	5.55
2		“TOTAL.....	9,879.65”.

3 **SEC. 7. TLINGIT AND HAIDA INDIANS OF ALASKA.**

4       *The Secretary of the Department of the Interior shall*  
5 *restore to the list, published in the Federal Register on Octo-*  
6 *ber 21, 1993, pursuant to part 83 of title 25 of the Code*  
7 *of Federal Regulations, the tribe defined and recognized in*  
8 *the Act of June 19, 1935 (49 Stat. 388), as amended, relat-*  
9 *ing to the Tlingit and Haida Indians of Alaska.*